IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANDREW WILLIAM PANKOTAI	:	
	: CIVIL NO. 4:16-CV-0004	
	:	
Plaintiff,	:	
	:	
Vs.	: (JUDGE BRANN)	FILED
	: (MAG. JUDGE SAPORITO)	SCRANTON
NORTHUMBERLAND COUNTY	:	
COURTHOUSE, et al.	:	MAY 04 2017
	:	
Defendants:	:	PER AMD DEPUTY CLERK

PLAINTIFFS RESPONSE TO LINCOLN'S MOTION FOR DISMISSAL

AND NOW comes the Plaintiff, Andrew William Pankotai (hereinafter, "Pankotai"), by and through his Power of Attorney, Dixie Pankotai, and hereby file this response to Lincoln's Motion for Dismissal as follows:

1) Pankotai has been unable to rebut the defendants claims in said case due to being picked up on the Emergency warrant that the said Defendants put on Pankotai.
2) Pankotai was picked up on January 31st where he was held against his unalienable rights, till he was extradited against the judges order's by New Mexico US Marshal's across state lines back to Pennsylvania (see attachment of Judge's ruling, stating Pennsylvania was to pick him up, not New Mexico sending him back).
3) Pankotai has been in Pennsylvania for the past week and half in SCI Coal Township, located in Northumberland County, which said defendants in this case are well aware of as its public notice on the portal at https://ujsportal.pacourts.us/ (See attachment).
4) The defendants in said case are fully aware that Pankotai is unable to rebut anything in this case as they have him locked up.
5) How can they be defendants in 1 case and victims in another at the same time, that is conflict of interest and against the law.

WHEREFORE, Plaintiff Pankotai respectfully requests that this Honorable Court issue an Order releasing Plaintiff from custody until this lawsuit has been taken care of as they cannot resume other case until this one is taken care of, as that is conflict of interest.

Respectfully submitted,
All RIGHTS Reserved
Dixie Pankotai -2017
Dixie Pankotai, Power Of Attorney

Dixie Pankotai
C/o 202 A DeSoto Avenue
Belen, New Mexico 87002

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANDREW WILLIAM PANKOTAI	:	
	:	CIVIL NO. 4:16-CV-0004
	:	
Plaintiff,	:	
	:	
Vs.	:	(JUDGE BRANN)
	:	(MAG. JUDGE SAPORITO)
NORTHUMBERLAND COUNTY	:	
COURTHOUSE, et al.	:	
	:	
Defendants:	:	

ORDER

AND NOW this ____ day of ____________, 2017, upon consideration of Plaintiff Pankotai's Response to Lincoln's Motion of Dismissal, it is hereby ORDERED AND DECREED that Said motion is GRANTED and the Defendants Motion is dismissed and Plaintiff is released until Lawsuit is taken care of in its entirety.

BY THE COURT:

____
J.

Attachment of UJSportal.pacourts.us

COURT OF COMMON PLEAS OF NORTHUMBERLAND COUNTY

DOCKET

Docket Number: CP-49-CR-0000647-2014

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Andrew William Pankotai

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Formal Arraignment	08/04/2014	9:00 am			Scheduled
Pre-Trial Conference	09/05/2014	9:15 am	Courtroom 1	President Judge Charles H. Saylor	Continued
Pre-Trial Conference	10/03/2014	9:15 am	Courtroom 1	President Judge Charles H. Saylor	Continued
Pre-Trial Conference	12/05/2014	1:15 pm	Courtroom 1	President Judge Charles H. Saylor	Continued
Pre-Trial Conference	01/09/2015	9:15 am	Courtroom 1	President Judge Charles H. Saylor	Continued
Pre-Trial Conference	04/10/2015	9:15 am	Courtroom 1	President Judge Charles H. Saylor	Scheduled
Criminal Motion Court	05/20/2015	10:45 am	Courtroom 2	Senior Judge W. M. Harvey Wiest	Scheduled
Criminal Motion Court	05/20/2015	1:15 pm	Courtroom 2	Senior Judge W. M. Harvey Wiest	Moved
Sentencing	06/29/2015	1:15 pm	Courtroom 2	Senior Judge W. M. Harvey Wiest	Cancelled
Pre-Trial Conference	07/10/2015	9:15 am	Courtroom 2	Senior Judge W. M. Harvey Wiest	Scheduled
Criminal Motion Court	07/21/2015	10:30 am	Courtroom 2	Senior Judge W. M. Harvey Wiest	Scheduled
Pre-Trial Conference	08/14/2015	9:15 am	Courtroom 1	President Judge Charles H. Saylor	Continued
Pre-Trial Conference	10/02/2015	9:15 am	Courtroom 1	President Judge Charles H. Saylor	Scheduled
Emergency/BW	12/30/2015	9:15 am	Courtroom 2	Senior Judge W. M. Harvey Wiest	Scheduled

CONFINEMENT INFORMATION

Confinement Known As Of	Confinement Type	Destination Location	Confinement Reason	Still in Custody
04/25/2017	DOC Confined	SCI Coal Township		Yes

DEFENDANT INFORMATION

Date Of Birth: 03/08/1985 **City/State/Zip:** Mt Carmel, PA 17851

Alias Name

Pankotai, Andrew
Pankotai, Andrew W.

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

/. Attachment of Judge's orders from New Mexico
He did not get into PA until 4-2[illegible]-2017 (After 21st)

FILED IN MY OFFICE
DISTRICT COURT CLERK
2017 APR 10 PM 3:08
PHILLIP ROMERO
BY________DEPUTY

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
THIRTEENTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO,

v.

No. D-1314-ER-201700001
DA#: VL 17 0306

ANDREW WILLIAM PANKOTAI,

Defendant.

ORDER OF EXTRADITION

THIS MATTER coming before the Court, on the 7th day of April, 2017, pursuant to § 31-4-22 NMSA 1978, the defendant, Andrew Pakotai, being present in Court with Counsel, Joshua Sanchez; the Court having advised the defendant that he is charged with fleeing the state of Pensylvania, County of Northumberland, after conviction in CP-49-CR-0001239-2013, and CP-49-CR-0000647-2014.

This Court being fully informed on the allegations and objections thereto, finds that the State has sufficiently proven that defendant is the same person wanted in Pennsylvania and that the matter requires comity and return of defendant to the demanding state.

IT IS, THEREFORE, ORDERED that the above defendant be extradited to the demanding state and ordered held without bond for 10 days pending deliver to the agent of the demanding state.

IT IS FURTHER ORDERED that the officer in custody of the defendant deliver the defendant to the agent of the demanding state together with a copy of this order. The authorities of the demanding state shall take custody of the defendant no later than April 21, 2017 by 5:00

PM. If the demanding state has failed to take custody by that time the defendant shall be released to pretrial services supervision.

SO ORDERED,

Honorable James L. Sanchez

Approved As to Form:

Kerry Cait Marinelli
Prosecuting Attorney

Electronically Approved 4/07/2017
Joshua Sanchez
Attorney for the Defendant

Copy of what was sent to Northumberland County Courthouse on 5-1-2017 by Certified mail #7015-0640-0002-4012-4415

Habeas Corpus

I andrew william: pankotai a private natural man, a people on the land of New Mexico Republic. Being one of the Creators by Birthright, knowing adoption and public utterances have declared the Declaration of Independence, 1776 and the Constitution for the united States of America 1789, as my law to Govern my Creation called Government. That is at all levels of Government.

I am being attacked and aggrieved for standing on my law. In open court, in the Northumberland County Courthouse located in Pennsylvania Republic, I bear witness to Treason by Senior Judge W.M Harvey Weist and President Judge Charles H. Saylor when they refused to follow the Constitution they are bound by.

They declared they were above the people, by declaring that a signed Challenge of Jurisdiction did not pertain and that a lawsuit filed in the United States Distict Court for the Middle District of Pennsylvania is gibberish. Judge Saylor and Judge Weist as well as the whole Northumberland Court house including but not limited to the District Attorney, Attorneys and Judges are all defendants in the lawsuit and should not have been able to move forward till lawsuit was taken care of. They are fully aware that they are a party to the filed lawsuit.

I as one of the people am the owner of the court. Judge Saylor and Judge Weist only have one duty which is to secure my unalieanable rights endowed by my Creator. They are not doing that. Not only that but they are holding me in a dungeon WITHOUT-bail. That is cruel and unusual punishment by Judge Saylor and Judge Weist, my public servant.

How can Judge Saylor and Judge Weist secure my unalienable rights and violate my unalienable Rights secured by the Constitutions? Since it is impossible it is unlawful.

The Courts and Judge Saylor, Judge Weist and District Attorney William Cole have all with held full disclosure of evidence from me as they have failed to provide a bond to me as well as statement of claim/offense under penalty of perjury.

All it is proven that the Distict Attorney, Judge Saylor and Judge Weist Cannot be a Victim and a DA And Judge at the same time as that is conflict of interest as the case is "State of Pennsylvania Vs. ANDREW WILLIAM PANKOTAI".

I further ask for an injured party to come fourth as according to Constitution I have the right to Ask this as "For A Crime to exist, there MUST be an injured party (Corpus Delicti) There can be no sanction or penalty imposed on one because of this Constitutional Right" Sherer v. Cullen 481 F. 945 "With NO injured party, a complaint is invalid on its face". Gibson v. Boyle 139 Ariz. 512

"Jurisdiction, once challenged, is to be proven, not by the court, but by the party attempting to assert jurisdiction. The burden of proof of Jurisdiction lies with the asserter. The Court is only to rule on the sufficiency of the proof tendered. See," McNutt v. General Motors Acceptance Corp, 298 U.S. 178 (1936). The origins of this doctrine of law may be found in " Maxfield v. Levy, 4 U.S. 330 (1797) 4 U.S. 330 (Dall) 2 Dall. 381 2 U.S. 381 1 L. Ed. 424.

I demand that Judge Saylor and Judge Weist release me immediately because their order to disallow a bond and to keep me in Jail for X amount of days is a Conflict of interest because they are defendants within a law suit. I furthermore request immediate release due to the conflict of them being and injured party and acting as Judge and DA at same time.

All Rights Reserved
Andrew William Pankratz
UCC 1-308 4-30-2017

ew Pankotai
02 A DeSoto Avenue
?, New Mexico
(near 87002)

CERTIFIED MAIL

7015 0640 0002 4012 4422

U.S. POSTAGE
PAID
BELEN, NM
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Attn: O[redacted]
UNI[redacted]RT
Middle [redacted]nia
William [redacted] + U.S. Courthouse
235 [redacted]e
P.O [redacted]
Scra[redacted]

IN [redacted]

RECEIVED
SCRANTON
MAY 04 2017
PER ____
DEPUTY CLERK